

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

SHIRLEY BARKSDALE,)	
)	
Plaintiff,)	
)	Case No. 4:04cv00008
v.)	
)	<u>ORDER</u>
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	

This action is before this Court on the petition of Plaintiff for an award of attorneys' fees under the provisions of 42 U.S.C. § 406(b). Defendant has noted its consent to payment of said fees.

Counsel for Plaintiff is hereby awarded attorneys' fees in the amount of \$7,980.00. This represents the total of Plaintiff's two separate motions for fees in the amounts of \$1,035.00 and \$6,945.00. The Commissioner is directed to withhold this amount from the Plaintiff's award and to transmit the funds to Plaintiff's attorney. The Report and Recommendation of the United States Magistrate Judge recommending that the Plaintiff's Motion for Attorney's Fees filed on September 12, 2005 be dismissed as duplicative is also adopted.

The Clerk is directed to send a certified copy of this order to all counsel of record and to Magistrate Judge B. Waugh Crigler.

ENTERED this 15th day of September, 2005.

s/Jackson L. Kiser
Senior United States District Judge